

# Notice of Allowability

Application No.

09/517,258

Examiner

Colleen P Cooke

Applicant(s)

DESHOTEL, KENT

Art Unit

1754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 8/19/03.
2. ☒ The allowed claim(s) is/are 1-5, 7-12, 14-19, 21-26, 28-34, 36-40, 42-46, 48-53, 55-59, 61-63 and 65-70.
3. ☒ The drawings filed on 02 March 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |                                                                                                        |                                                                                     |
|--------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)                                        | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|                                                                                                        | 9 <input type="checkbox"/> Other _____                                              |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kent Deshotel on 12/30/2003.

The application has been amended as follows:

In claim 1, line 9, after "extend" insert -- at least 18 inches -- .

In claim 9, line 9, after "extend" insert -- at least 18 inches -- .

In claim 16, line 11, after "extend" insert -- at least 18 inches -- .

In claim 23, line 11, after "extend" insert -- at least 18 inches -- .

In claim 30, line 11, after "extend" insert -- at least 18 inches -- .

In claim 38, line 11, after "extend" insert -- at least 18 inches -- .

In claim 44, line 9, after "applicators" insert -- extend at least 18 inches behind a source of electric current used to weld said objects together and -- .

In claim 51, line 11, after "extend" insert -- at least 18 inches -- .

In claim 57, line 12, after "extend" insert -- at least 18 inches -- .

In claim 63, line 4, after "pressure" insert -- with pressure applicators -- and in line 5 after "and" insert -- at least 18 inches -- .

Please cancel claims 6, 13, 20, 27, 35, 41, 47, 54, 60, and 64.

***Allowable Subject Matter***

Claims 1-5, 7-12, 14-19, 21-26, 28-34, 36-40, 42-46, 48-53, 55-59, 61-63, and 65-70 are allowed.

Applicants contend that a process of the combined applied teachings could not result in a successful process or apparatus for welding with pressure applicators which extend at least 18 inches behind the source of the electric current for performing the welding operation. The examiner agrees.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this or earlier communications from the examiner should be directed to Colleen Cooke, whose telephone number is 571-272-1170. She can normally be reached Monday-Thursday from 7:15-5:45pm.

If attempts to reach the examiner by telephone are unsuccessful, her supervisor, Stan Silverman, can be reached at 571-272-1358. The official fax number for the organization where this application or proceeding is assigned is 703-872-9306. The unofficial fax number for this examiner is 703-746-3048.

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Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is 703-308-0661.

Colleen P Cooke  
Examiner  
Art Unit 1754

  
STANLEY G. SAPER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700